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REMARKS/ARGUMENTS

The above listed claim amendments along with the following remarks are fully responsive to the Office Action set forth above. Claims 1-26 are pending. Claims 1, 9, 11, and 22 have been amended and claims 4-7, 14-21 and 23-26 have been withdrawn.

Correction for Response to Election of Species Requirement

In the Response to Election of Species Requirement submitted on September 20, 2004, an inadvertent error was present in that the statement was made: "The claims readable on the elected Species B are: 1-3, 5, 8, 9-13, and 22." Applicant requests clarification of the record by correcting this statement to read: "The claims readable on the elected Species E are: 1-3, 5, 8, 9-13, and 22."

Claim Rejections – 35 USC § 102

Claims 1-3, 8-13 and 22 have been rejected as anticipated by Berding (USP 5,936,803).

Applicants controvert the statement that the shock limiter 166 of Berding is formed within an opening in the spring region. Applicants have amended the independent claims of this application to delete the limitation where the shock limiter is formed from the same piece of material as the spring region of the load beam, and to add the limitation that the shock limiter has a majority of its length formed within the spring region in contrast to Berding. While the shock limiter of Berding starts at the spring region, the majority of the length of the shock limiter of Berding is within the mounting region. The Berding limiters 166 are formed at the end of a balancing member 160 in the mounting region. The majority of the balancing member 160 is outside the spring region, being located towards the mounting region side of pivot axis "A."

Applicants' shock limiter has a majority of its length within the spring region, with only a proximal end 472 located outside the spring region to contact the base plate 422.

Claims 1, 11 and 22 and claims depending, respectively therefrom, are allowable for the above reasons.

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Claim 9 has been amended to now recite that the overlapped portion of the shock limiter directly contacts the base plate when the shock limiter is limiting movement of the head suspension away from the disk surface due to impact loading. This is in further contrast to the shock limiter of Berding which contacts the load beam layer, and does not contact the base plate directly. Claim 9 is allowable for this reason in addition to the reasons stated with respect to claim 1.

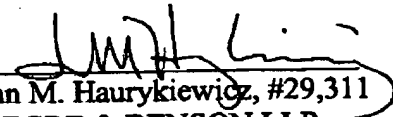
Conclusion

All pending and not withdrawn claims are now in condition for allowance. Furthermore, applicant submits that if generic claims 1-3, 11 and 13 are allowed, the non-elected species covered by these generic claims are also allowable. A notice to that effect is respectfully requested.

Respectfully Submitted,

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